

C O P Y

NEW HAMPSHIRE LAW LIBRARY

SEP 03 1998

1951

CONCORD, N.H.

June 14

Mr. Russell B. Tobey
Director of Recreation
State House Annex

Dear Sir:

By letter of June 8, 1951, you point out that the Forestry and Recreation Commission is considering discontinuing the sale of food and souvenirs as a departmental operation at certain of the State Parks, and you inquire whether, should such action be decided upon, the Commission may sell the privilege of conducting this operation through private individuals.

By R. L. c. 233, s. 4, as amended by Laws of 1945, c. 184, the Director of Recreation, under supervision of the Commission, is authorized to operate and maintain recreational facilities and services for public use on State Parks. The operation of the retail food and souvenir outlets at such parks is reasonably incident to such maintenance and operation. You are not, however, required to operate them.

In the event that you and your Commission decide to discontinue these operations as state functions, you have very clear authority to make contracts for the leasing of these facilities as privileges and concessions. See R. L. c. 234, s. 10, as amended by Revised Laws 1945, c. 184. You will note that such contracts may not exceed five years in duration.

I shall be happy to assist you in your further consideration of this matter.

Very truly yours,

Gordon M. Tiffany
Attorney General

WEW:rm